

- 10 -

The Commissioner of Patents

Serial No. 10/532,138

REMARKS

Claims 1, 3 to 6, 8, 10 to 21, and 32 to 37 are in the case.

By the present amendment, claims 2, 7, 9, 30, and 31 are cancelled.

Of the claims pending in the application, claims 3 to 5, 8, and 11 to 21 have been previously withdrawn from consideration following a species election requirement.

With the present amendment, whereby claim 1 is amended to largely reflect the subject matter of claim 10 indicated as being allowable, it is submitted that these dependent claims depending ultimately from claim 1 can be restored to consideration.

Claim Rejections – 35 USC § 112

In response to the third paragraph in this rejection, incorrectly identified as paragraph 1, claim 1 has been amended and it is believed that the amendment overcomes the 35 USC § 112 objection.

In the method of the invention, a lignocellulosic material is reacted in the manner defined so as to produce a light-stable and process-stable lignocellulosic material. In order to distinguish between these two lignocellulosic materials, i.e., starting lignocellulosic material and the final lignocellulosic material, the starting lignocellulosic material is now identified as a "first" lignocellulosic material, and the finishing lignocellulosic material is qualified as a light-stable and process-stable lignocellulosic material. It is believed that the amendment satisfies the requirements of 35 USC § 112.

Regarding the objection set forth in the paragraph numbered as paragraph 2 (although it appears that it should be numbered as 4), this objection is overcome by the amendments made in claim 1 whereby the language objected to as well as much other language is removed.

Claim Rejections – 35 USC § 103

In the paragraph numbered 5, reliance is made on U. S. Patent 6,416,627, and in the Response to Arguments, at page 2 of the Office Action in paragraph number 3, reference is made to the newly cited Chemical Abstract of U. S. Patent 6,416,627, said to show a compound that meets the requirements of claim 1.

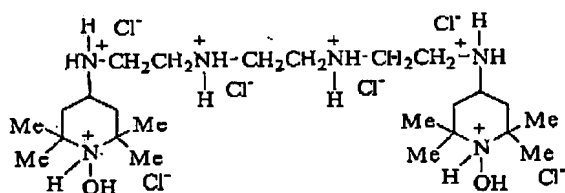
- 11 -

The Commissioner of Patents

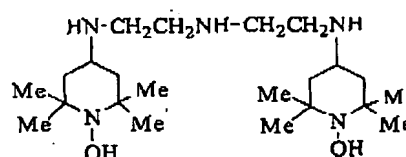
Serial No. 10/532,138

It is believed that the latter finding is not correct, but in any event, claim 1 is now limited to a specific cation within formula (O), namely, the cation which features in the yellowing inhibitor set forth in claim 10 indicated as being allowable. This is also the cation which appears in the compound in claim 32 which was rejected in view of the CAS Abstract.

The compound identified in the CAS Abstract is the compound in Example 5 of U. S. Patent 6,416,627, Cunkle et al, although named in a different way and not identified by structural formula. This, however, is **not** a compound having a chemical structure corresponding to that of the compound or even the base of the ionic compound of claim 10. For ready reference, there is set out below, for ready comparison, the specific compound of claims 10 and 32 as well as the specific compound identified in the CAS Abstract:



compound claimed in claims 10 and 32



compound cited in CAS Abstract

It can be seen that a compound to which all the claims are now directed is one having three $\text{-CH}_2\text{-CH}_2\text{-}$ units as compared to only two such units in the compound of the CAS Abstract, and secondly and most importantly, has four NH units as compared with only three in the compound of the CAS Abstract, and furthermore, all four such NH units as well as the two ring N atoms provide a positively charged nitrogen whereas in the compound of the CAS Abstract, the nitrogens are all uncharged.

- 12 -

The Commissioner of Patents

Serial No. 10/532,138

The compound in the claims of the present invention also has an anion associated with the six charged nitrogens whereas there are none in the compound of the CAS Abstract.

Claim 1 as now presented is not limited to the chloride anion but is otherwise limited to the same compound as in claim 10 indicated allowable and claim 32 and which compound is not the compound of the CAS Abstract and is not within the scope of the teachings of Cunkle et al, even on the basis of the random selections described within the huge generic class of Cunkle et al.

Certainly, Cunkle et al can neither teach nor suggest a method of the present invention employing the small class of ionic compounds, the compounds of the small class differing only in the identity of the anion.

It is believed that the foregoing fully overcomes all of the objections set forth in the Office Action, and all of the claims are now confined by reference to what is clearly the most significant part of claim 10 indicated as being allowable, and in particular, the nature of the anion is secondary. The invention more especially resides in the utility and benefits achieved by the use of the particular cation.

New claims 33 to 37 are submitted in which claim 33 is an independent claim based on former claim 32 written in independent form but reflecting the full class of anion. In other words, this claim is not confined to the hexachloride as anion.

Claims 34, 35, 36, and 37 recite the features of claims 8, 11, 13, and 14 but depending ultimately from claim 33.

The indication of allowable subject matter in paragraph number 9 is gratefully acknowledged, and the amendments and new claims reflect the finding of allowable subject matter.

The foregoing is believed to place the application in allowable condition and serves to restrict the claims substantially based on the indication of allowable subject matter of claim 10.

- 13 -

The Commissioner of Patents

Serial No. 10/532,138

Early and favourable action would be appreciated.

Respectfully,

THOMAS Q. HU ET AL

By:



Agent for the Applicant

Kevin P. Murphy

Regis. No. 26,674

OGILVY RENAULT LLP

1981 McGill College Avenue

Suite 1600

Montreal, Quebec, Canada

H3A 2Y3

Tel. - (514) 847-4293


CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the
Patent and Trademark Office on the date shown below.

KEVIN P. MURPHY, Reg. No. 26.674

Name of person signing certification

Signature:



Date: November 13, 2007